



December 14, 2006

## EDITORIAL: Red chamber rehab

By SUN MEDIA

Prime Minister Stephen Harper finally dropped the other shoe yesterday on his Senate reform package, introducing a bill that would make the selection of senators in this country more democratic.

Certainly, anything would be more democratic than the current method employed to put friends of the governing party in the upper chamber.

And allowing interested Canadians who qualify to sit in the Senate a chance to run for vacant positions in the upper chamber, and have other Canadians pass judgment on them in a plebiscite, with the results going to the prime minister, who would, the idea goes, make Senate appointments based on the results of the referendum, is a far better solution than anything proposed by the Liberals during their last 13-year run governing Canada. Which was nothing.

Even before the governing Conservatives tabled the legislation yesterday, the critics were out in force suggesting that Harper's attempt to change the way senators are appointed would be unconstitutional.

But what the PM is proposing will not run afoul of the Constitution. Indeed, as anyone who wants to pull out the old British North America Act and peruse it will quickly conclude, the current method of appointing senators to the upper chamber -- individuals selected and appointed by the prime minister -- isn't exactly chapter and verse from our Constitution, either.

Instead, the document says that the "Governor General shall from time to time, in the Queen's name, by instrument under the great seal of Canada, summon qualified persons to the Senate ..."

Over the years, we've adopted a convention under which the PM chooses senators and the governor general -- whose role has become largely ceremonial -- rubber-stamps those appointments.

Adding another layer to the convention through a Senate nominee referendum is a work-around in lieu of amending the Constitution.

Unfortunately, until the Canadian political culture matures enough that we can deal with constitutional amendments on a case-by-case basis without the result turning out like the Meech Lake or Charlottetown accords, we'll have to make do with piecemeal methods of building a more democratic Senate.

If this bill passes, then, the governor general will still summon "qualified persons" to the Senate -- only these qualified persons will actually have a democratic stamp of approval.

We can't argue with that.